

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF
MONDAY, MARCH 25, 1991
AT 2:00 P.M.
IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 2:05 p.m. Mayor O'Connor adjourned the meeting at 4:25 p.m. to meet in Closed Session on pending litigation and meet and confer items at 9:00 a.m., Tuesday, March 26 1991, in the twelfth floor conference room.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member Hartley-present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-excused by R-277900
(travel delay caused by hazardous road conditions)
- (8) Council Member Filner-present
- Clerk-Abdelnour (11)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-not present

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- (3) Council Member Hartley-not present
- (4) Council Member Pratt-present
- (5) Council Member Bernhardt-present
- (6) Council Member Henderson-present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Pastor Marshal Sharpe of
Phillips Temple.

FILE LOCATION: MINUTES

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Pratt.

FILE LOCATION: MINUTES

ITEM-30: APPROVED

Approval of Council Minutes for the Meetings of:

2/25/91
2/26/91
2/26/91 Special

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A026-033.)

MOTION BY BERNHARDT TO APPROVE. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-not, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-31: (R-91-1594) ADOPTED AS RESOLUTION R-277533

Acknowledging 1991 to be the 30th Anniversary of the
Peace Corps of the United States of America; commending
its volunteers past and present, and reaffirming our
nation's commitment to helping people throughout the

world to help themselves.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A034-094.)

MOTION BY BERNHARDT TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-91-144) INTRODUCED, TO BE ADOPTED APRIL 8, 1991

Introduction of an Ordinance amending Chapter V, Article 9, Division 1 of the San Diego Municipal Code by amending Section 59.0104, relating to Activities Prohibited within the San Diego Jack Murphy Stadium Parking Facility, by eliminating tailgating on the finger walkways and traffic turn areas.

CITY MANAGER SUPPORTING INFORMATION: Recently there has been increasing concern by Stadium and Police Department officials with tailgating activities at San Diego Jack Murphy Stadium which endangers the safety of pedestrians and impedes traffic flow within the inner circle of the parking facility. These tailgating activities occur on the finger walkways (promenades) which extend out from the Stadium and in traffic turn areas. The finger walkways are extremely popular for tailgating. They become very crowded during events with people, tables, barbecues, etc. thus prohibiting pedestrians from using them. Pedestrians have to walk in traffic lanes which restricts the passage of traffic, causing a potential for pedestrian injuries and vehicle accidents. The traffic turn areas are also being used by tailgaters which presents a problem of reducing traffic flow and could result in injury to the tailgater. To alleviate these potential hazardous conditions, it is proposed that amendments be made to the Municipal Code to eliminate tailgating on the finger walkways and traffic turn areas. This proposal does not in anyway eliminate tailgating at the Stadium, but redirects it to other areas in the Stadium parking lot which do not present a hazardous situation. The Stadium Authority Board of Governors recommended approval of this proposal at their February 7, 1991 meeting.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: A331-335.)

CONSENT MOTION BY PRATT TO INTRODUCE. Second by Hartley.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-91-1304) ADOPTED AS RESOLUTION R-277534

Awarding contracts to Halprin Supply Company, Cascade
Fire Equipment, and L.N. Curtis and Sons, for the
purchase of fire hose and couplings, as may be required
from February 15, 1991 through December 31, 1991, for
an estimated total cost of \$137,582.74, including tax.
(BID-H2106/91)

FILE LOCATION: CONT-Purchase - Halprin Supply Company,
Cascade Fire Equipment, and L.N. Curtis &
Sons. CONT FY 91-3

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-101: (R-91-1312) ADOPTED AS RESOLUTION R-277535

Awarding a contract to Marden Susco, Inc., for the
purchase of specific backflow prevention assemblies, as
may be required, as follows: 2-inch double check
assemblies for a period of 6 months, from August 15,
1991 through February 14, 1992; 6-inch and 8-inch
double check assemblies for a period of 8 1/2 months,
from June 1, 1991 through February 14, 1992; 1-inch,
2-inch, 3-inch, 4-inch, 6-inch, 8-inch, and 10-inch
reduced pressure assemblies, and 1-inch, 3-inch,
4-inch, and 10-inch double check assemblies for a one
year period, from February 15, 1991 through February
14, 1992, for an estimated cost of \$542,200, including
tax and terms, with options to renew the contract for
four additional one year periods, with option period
price increases not to exceed the prices in effect for
the previous contract period by more than 5 percent.
(BID-E2046/91)

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FILE LOCATION: CONT-Purchase - Marden Susco, Inc.
 CONT FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-91-1308) ADOPTED AS RESOLUTION R-277536

Awarding contracts to: Clairemont Equipment Co.; Ace
Hardware; George's Lawn Equipment; San Diego Turf;
Ouchi Nursery; A & T Saw & Lawnmower Shop; Pacific
Products, Inc.; C.R. Jaeschke, Inc.; Hydro-Scape
Products; Jack's Tractor & Equipment Inc.; San Diego
Garden Equipment Center; and Mason's Saw & Lawnmower
Service, Inc., for miscellaneous equipment and engine
parts, as may be required for a period of one year
beginning February 1, 1991 through January 31, 1992,
for a total estimated cost of \$80,975.25.
(BID-G1984/91)

FILE LOCATION: CONT-Purchase- Clairemont Equipment Co.; Ace
Hardware; George's Lawn Equipment; San Diego
Turf; Ouchi Nursery; A&T Saw & Lawnmower
Shop; Pacific Products, Inc.; C.R. Jaeschke,
Inc.; Hydro-Scape Products; Jack's Tractor &
Equipment Inc.; San Diego Garden Equipment
Center; and Mason's Saw & Lawnmower Service,
Inc. CONT FY 91-12

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-103: (R-91-1309) ADOPTED AS RESOLUTION R-277537

Awarding a contract to Maneri Sign Company, Inc. for
the purchase of reflectorized highway signs and
aluminum blanks, as may be required for a period of one
year beginning March 1, 1991 through February 29, 1992,

for an estimated total cost of \$360,235.09, including tax and terms, with options to renew the contract for four additional one year periods with increases not to exceed ten percent of prices in effect at the end of each prior contract period.
(BID-H2039/91)

FILE LOCATION: CONT-Purchase - Maneri Sign Company, Inc.
 CONT FY 91-1

COUNCIL ACTION: (Tape location: A436-B032.)

MOTION BY ROBERTS TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-not present, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

* ITEM-104: (R-91-1303) ADOPTED AS RESOLUTION R-277538

Awarding contracts for the purchase of dump trucks to Miramar Ford Truck Sales, Inc., Westrux International, Fuller Ford, and Pressley Peterbilt GMC, for a total cost of \$923,812.53; declaring that in the event the Contractor does not perform to specifications, the Purchasing Agent is authorized to terminate the contract and award it to the next low responsive and responsible bidder and to subsequent bidders, if necessary, until a bidder is found who performs to specifications; authorizing the expenditure of not to exceed \$923,812.53, from Department No. 8201, Fund No. 50031, Object Account No. 6013, and Job Order Nos. 88071, 88081, and 88091 for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(BID-C1923/91)

Aud. Cert. 9100654.

FILE LOCATION: CONT-Purchase - Miramar Ford Truck Sales,
 Inc., Westrux Int'l, Fuller Ford, Pressley
 Peterbilt GMC. CONT FY 91-4

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea,

Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-91-756) ADOPTED AS RESOLUTION R-277539

Awarding a contract to Xerox Corporation for lease of two Xerox 5090 copiers, for a 36-month period, for a total cost of \$542,184; authorizing the expenditure of an amount not to exceed \$542,184 from Department No. 815, Fund No. 50020, Organization No. 104, Object Account No. 4686, and Job Order No. 60003, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-P2007/91)

Aud. Cert. 9100578.

FILE LOCATION: CONT-Purchase - Xerox Corp. CONT FY
91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-91-1246) ADOPTED AS RESOLUTION R-277540

Inviting bids for the Construction of Traffic Signal Modifications and Interconnect on Grape Street and Hawthorn Street from Harbor Drive to State Street on Work Order No. 119537; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$262,700 from CIP-68-008.0, Traffic Signal Subsystems, Fund 30300 for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-68-008.0. (BID-K2156/91)
(Prime construction contract \$155,000. Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project coordinates the operation of ten traffic signals on Grape Street and Hawthorn Street from Harbor Drive to State Street. Features include installation of approximately 5,500 lineal feet of interconnect conduit and cable; and the replacement of eight obsolete traffic signal controllers. This project includes the installation of emergency vehicle preemption equipment on State Street, and the replacement of 8-inch signal heads with 12-inch signal heads.

Aud. Cert. 9100670.

FILE LOCATION: W.O. 119537 CONT - MCR Electrical
Contractors, Inc. CONT FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-91-1245) ADOPTED AS RESOLUTION R-277541

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Park Boulevard and Centre Street/Polk Avenue on Work Order No. 119168; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$184,725 from CIP-68-010.0, Construct Top 10-15 Prioritized Traffic Signals, Proposition "A" Fund 30300, for providing funds for said project and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-68-010.0. (BID-K2155/91)
(Park North-East and Uptown Community Areas.
District-8.)

CITY MANAGER SUPPORTING INFORMATION: The subject Capital Improvement Program Project to install a traffic signal and street lighting system at Park Boulevard and Centre Street/Polk Avenue provides for the safe passage of pedestrians and vehicles through the intersection. The project provides channelization work, landscaping and stamped concrete pavement. Traffic signal features include emergency vehicle preemption equipment on Park Boulevard. This location meets traffic signal warrant No. 11 for peak hour traffic volumes.

Aud. Cert. 9100611.

FILE LOCATION: W.O. 119168 CONT - Steiny and Company, Inc.
CONTFY91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-91-1244) ADOPTED AS RESOLUTION R-277542

Inviting bids for the Construction of Traffic Signal and Street Lighting Systems at Imperial Avenue and Woodman Street on Work Order No. 119515; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of \$96,300 from CIP-68-010.0, Construct Top 10-15 Prioritized Traffic Signals, Proposition "A" Fund 30300, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to retain excess budgeted funds, if any, in CIP-68-010.0.
(BID-K2154/91)
(Southeast San Diego Community Area. District-4.)

CITY MANAGER SUPPORTING INFORMATION: The subject FY 89 Capital Improvement Program Project intersection is a "Tee" intersection that is controlled by a stop sign for vehicles entering Imperial Avenue from Woodman Street. (Imperial Avenue is a "Through Street"). This location meets the volume warrant for a traffic signal. Installation of a traffic signal will provide for the orderly assignment of right-of-way to vehicular and pedestrian traffic. In addition, emergency vehicle preemption will be provided on Imperial Avenue.
Aud. Cert. 9100558.

FILE LOCATION: W.O. 119515 CONT - Lekos Electric, Inc.
CONT FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-109:

Three actions relative to the Construction of East Mission Gorge Interceptor System - Force Main (Contract No. 1) and Construction of East Mission Gorge Interceptor System - Pump Station (Contract No. 2): (Navajo Community Area. District-7.)

Subitem-A: (R-91-1531) ADOPTED AS RESOLUTION R-277543

Inviting bids for the Construction of East Mission Gorge Interceptor System - Force Main (Contract No. 1) and Construction of East Mission Gorge Interceptor System - Pump Station (Contract No. 2) on Work Order No. 170361; authorizing the execution of a contract with the lowest responsible bidder; authorizing the execution of Amendment No. 6 with Black and Veatch, Engineers and Architects, for construction engineering and management services for the East Mission Gorge Interceptor System-Pump Station and Force Main at a cost not to exceed \$1,189,730; authorizing the City Auditor and Comptroller to transfer \$6,226,000 from the Clean Water Fund 41509, CIP-46-154.0, South Bay Land Outfall, to Sewer Fund 41507, CIP-43-104.0, East Mission Gorge Interceptor System, Pump Station and Force Main; and authorizing the expenditure of an amount not to exceed \$22,569,000 from Sewer Fund 41507, CIP-43-104.0, for the purpose of executing these contracts and related costs; authorizing the City Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-K2172/91 and K2173/91)

Subitem-B: (R-91-1249) ADOPTED AS RESOLUTION R-277544

Certifying that the information contained in Environmental Impact Report (EIR), and a Mitigation Monitoring and Reporting Program, DEP-88-0089, dated December 26, 1990 has been completed in compliance with CEQA and State CEQA Guidelines; and that said EIR along with Findings and a Statement of Overriding Considerations have been received and considered by the Council.

Subitem-C: (R-91-1250) ADOPTED AS RESOLUTION R-277545

Authorizing the use of City Forces to make connections

and perform operational checks involving Construction of East Mission Gorge Interceptor System-Force Main (Contract No. 1) and East Mission Gorge Interceptor System Contract No. 2 - Pump Station; declaring that the cost of said work shall not exceed \$50,000.

Aud. Certs. 9100644 and 9100645.

WU-P-91-096.

FILE LOCATION: W.O. 170361 CONT - PCL CONSTRUCTORS, INC.
CONT - CAL Southwest Construction Inc.
CONT FY 91-1; CCONFY91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-91-1466) ADOPTED AS RESOLUTION R-277546

Authorizing the City Manager to reject all bids from the November 15, 1990 bid opening for the Construction of the Lake Hodges Concession Building; authorizing the Purchasing Agent to re-advertise for bids for the construction of the Lake Hodges Concession Building; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of an amount not to exceed \$35,863 to supplement Resolution R-276682 allocating \$154,420 from CIP-73-230.0, approved October 15, 1990, for the construction and related purposes; authorizing the Auditor and Comptroller, upon advice from the Administering Department, to transfer excess budgeted funds, if any, to the appropriate reserves.
(San Pasqual/Lake Hodges and San Dieguito River Basin Community Areas. District-1.)

CITY MANAGER SUPPORTING INFORMATION: On October 15, 1990, pursuant to Resolutions R-276682 and R-276683, Council approved the plans and specifications and authorized advertising for bids for the construction of the Lake Hodges Concession building. This project will replace a temporary trailer utilized as a concession bait/sales building with a permanent structure that will meet the current and projected high recreation demands of Lake Hodges. The project bid opening occurred on November 15,

1990. Thirteen bids were received; the lowest bid was submitted by Sheila Corporation, dba Wing Construction, for \$160,124; 17 percent over the estimate of \$137,224. MBE and WBE Program Requirements were not met by the low bidder and EOCP has recommended that all bids be rejected as of December 11, 1990. Therefore, rejection of bids and re-advertisement for the construction of the Lake Hodges Concession building is necessary. In addition, an updated project cost estimate has been prepared and an additional \$35,863 is necessary in order to accommodate realistic project costs and is included in the resolution.

Aud. Cert. 9100632.

WU-U-91-116.

FILE LOCATION: W.O. 180981 CONT-EMPIRE & ASSOCIATES, INC.

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-111:

Three actions relative to the final subdivision map of University Square, a 13-lot subdivision located southwesterly of University Avenue and 60th Street: (Mid-City Community Area. District-3.)

Subitem-A: (R-91-1494) ADOPTED AS RESOLUTION R-277547

Approving the final map.

Subitem-B: (R-91-1495 Cor.Copy) ADOPTED AS RESOLUTION
R-277548

Approving the acceptance by the City Manager, or his designee, of that easement deed of University Square Ltd., granting to the City easements for sewer, water and drainage facilities in Parcel 2 of Parcel Map PM-7031 and Lots 26, 27 and 30 of Block H, El Cerrito Heights Unit No. 3, Map No. 2095; authorizing the execution of a quitclaim deed, quitclaiming to University Square Ltd., all of the City's right, title and interest in the water and drainage easements in

Parcel 2 of Parcel Map PM-7031 and in Lots 26, 27 and
30 of Block H, El Cerrito Heights Unit No. 3, Map-2095.

Subitem-C: (R-91-1496) ADOPTED AS RESOLUTION R-277549

Authorizing the execution of an Indemnity Agreement
with University Square, Ltd., in connection with the
granting of sewer, water and drainage easements in
University Square subdivision.

CITY MANAGER SUPPORTING INFORMATION: The Indemnity Agreement
being entered into is in lieu of the standard Subordination
Agreement. University Square, Ltd., (USL) has been unable to
acquire Subordination Agreements at this time from its tenants
for sewer, water and drainage easements being granted by
separate instrument. In order to satisfy the City's requirement
that Subordination Agreements be provided concurrently with the
granting of an easement, USL is entering into this agreement to
indemnify and hold the City harmless until such time as
Subordination Agreements are provided. The Indemnity Agreement
will be in effect until such time as the Subordination Agreement
is provided.

FILE LOCATION: SUBD-University Square DEED F-5548
CONT FY 91-1; DEED FY 91-2

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-91-1491) ADOPTED AS RESOLUTION R-277550

Approving the acceptance by the City Manager of a grant
deed of NAS Convoy Partnership, granting to the City a
portion of Lot 78 of Rancho Mission of San Diego,
Partition Map-330; dedicating said land as and for
public streets and naming the same Convoy Street and
Copley Park Place.
(Serra Mesa Community Area. District-5.)

FILE LOCATION: DEED F-5549 Deed FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-113: (R-91-1435) ADOPTED AS RESOLUTION R-277551

Approving the acceptance by the City Manager of a grant deed of Atlantic Richfield Company, granting to the City an easement for public street purposes in portions of Lot 3 of Pacific Gateway Park, Map-12145; dedicating the land as and for public streets and naming the same Otay Mesa Road, Heritage Road and Camino Maquiladora. (Otay Mesa Community Area. District-8.)

FILE LOCATION: DEED F-5550 Deed FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-114: (R-91-1486) ADOPTED AS RESOLUTION R-277552

Authorizing the sale by negotiation of a sewer easement in Lots 6 and 19 of Halcyon West, Map-11841, for the processing fee to RGC-M Associates L.P.; authorizing the execution of a quitclaim deed, quitclaiming to RGC-M Associates L.P. the above easement. (North City West Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Application has been received by the Engineering and Development Department for the abandonment of a portion of a sewer easement that encumbers property located on the south side of Carmel Country Road between Townsgate Drive on the north and Carmel Creek Road on the south in the North City West area. The sewer easement was acquired by Deed in 1987 at no cost to the City. Although the easement was previously utilized, Halcyon West, Map-11841, granted an overlapping easement which more appropriately accommodates the existing facility. The subject easement was reviewed by all affected City departments and all have concluded that there is no prospective public need for the easement. Also, per Council Policy 600-15, the abandonment has been

reviewed by the North City West Community Planning Board which does not object to the abandonment.

WU-PR-91-144.

FILE LOCATION: DEED F-5551 Deed FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-115: (R-91-1529) ADOPTED AS RESOLUTION R-277553

Approving the recommendations contained in the Department of Legislative Services Report DLS-91-13, dated March 11, 1991, relating to amendments to and new format of Council Policy 000-19, entitled "Legislative Policy Guidelines".
(See Department of Legislative Services Reports DLS-91-13 and DLS-91-5.)

COMMITTEE ACTION: Reviewed by RULES on 2/6/91. Recommendation to accept the recommendations of the Department of Legislative Services with amendment. Districts 1, 5, 7, 8 and Mayor voted yea. District 4 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-116: (R-91-1516) ADOPTED AS RESOLUTION R-277554

Adopting the Conflict of Interest Code for the Clean Water Program of the City of San Diego pursuant to the Political Reform Act of 1974, as amended.

CITY MANAGER SUPPORTING INFORMATION: The Political Reform Act, Government Code Section 81,000, et seq., requires state and local

government agencies to adopt a Conflict of Interest Code.

The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. Section 18730, which contains the terms of a standard Conflict of Interest Code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. On March 19, 1990, Council approved Amendment No. 2 to the Conflict of Interest Code of the Water Utilities Department. At that time the Clean Water Program was under the auspices of the Water Utilities Special Projects Division. Amendment No. 3 (pending approval) to the Conflict of Interest Code for the Water Utilities Department reflects a deletion of the Clean Water Program from their Conflict of Interest Code. This Resolution will formally adopt a Conflict of Interest Code for the Clean Water Program incorporating by reference the terms of 2 Cal. Code of Regulations Section 18730, any amendments to it duly adopted by the Fair Political Practices Commission, Exhibit A listing the designated positions, and Exhibit B listing the disclosure categories. Pursuant to Sections 4 and 5 (A) of the standard Code, designated employees shall file initial statements of economic interests (SEI'S) with the City Clerk within 30 days upon adoption by the City Council.

WU-CWP-91-151.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-117: (R-91-1620) ADOPTED AS RESOLUTION R-277555

Proclaiming March 1991 to be Mediation Month in San Diego and making a presentation to Community Mediation of San Diego.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A095-125.)

MOTION BY HARTLEY TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea,

Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not
present, Filner-yea, Mayor O'Connor-yea.

* ITEM-118:

Two actions relative to authorizing Suggestion Awards
to the following City employees:

Subitem-A: (R-91-1511) ADOPTED AS RESOLUTION R-277556

Lawrence Hamilton - Attorney - \$500.

Subitem-B: (R-91-1510) ADOPTED AS RESOLUTION R-277557

Jill Degnan - Risk Management/Worker's Compensation -
\$50.

Glenn Cheek - Fire Department - \$320.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-119: (R-91-1453) ADOPTED AS RESOLUTION R-277558

Authorizing the City Manager to accept grant funding
from the San Diego County Cable Television Commission;
authorizing the execution of the grant award for the
Juveniles Out of Gangs (JOG) program, including any
extensions or amendments awarded to the City.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Police
Department has been selected by the San Diego County Cable
Television Commission to receive an award of \$4,860 for the
purpose of producing a videotape to be used in conjunction with
the Juvenile section's "Juveniles Out of Gangs" program. The
Department has been using an outdated videotape for this
program, and has hoped to locate funding to assist in the
production of a new videotape. Receipt of this award will
provide funds to ensure the highest quality production at
minimal cost to the City. Matching in-kind (no cash)

contribution to the project is estimated at \$11,640, and accounts for the equivalent in equipment and staff time. The award money will be used primarily for hiring a professional scriptwriter, graphic artist, and talent, as well as supplies and materials.

Aud. Cert. 9100587.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-120: (R-91-1477) ADOPTED AS RESOLUTION R-277559

Authorizing the City Auditor and Comptroller to transfer the amount of \$47,055 within the Allocated Reserve 901 from Job Order 272101 to a new Allocated Reserve account, for the sole and exclusive purpose of providing funds to pay outstanding obligations to the firm of Freilich, Leitner and Carlisle - \$39,674 for growth management services provided, and to the firm of Orrick, Herrington and Sutcliffe - \$7,381 for proposed federal litigation services regarding Sander bonds.

Aud. Cert. 9100674.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

MOTION BY HARTLEY TO ADOPT. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-nay, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-yea, Mayor O'Connor-not present.

* ITEM-121: (R-91-1422) ADOPTED AS RESOLUTION R-277560

Prohibiting commercial vehicles with a gross vehicle weight rating of over 10,000 pounds from operating on Racine Road north of College Avenue; Vista Grande Drive from Rolando Boulevard to Zena Drive and on Rolando

Boulevard from Celia Vista Drive to University Avenue; and Aragon Drive between Livingston Street and University Avenue; authorizing the installation of the necessary signs and markings; declaring that the above regulations shall become effective upon the installation of such signs.

(Mid-City Community Area. District-7.)

CITY MANAGER SUPPORTING INFORMATION: Racine Road/College Grove Drive east of College Avenue, Vista Grande Drive, Rolando Boulevard between Celia Vista Drive and University Avenue, and Aragon Drive between Livingston Street and University Avenue are two lane residential streets. Our investigation has shown that numerous trucks are traveling on these streets and the pavement was not designed to carry the truck traffic it is experiencing.

A truck route prohibition of commercial vehicles with a gross vehicle weight rating of over five tons is recommended to improve the overall safety of these roads. Trucks making local deliveries and providing services on these streets would still be permitted to use the roadway. College Avenue provides a nearby alternate route.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-122: (R-91-1514) CONTINUED TO TUESDAY, MARCH 26, 1991

Authorizing the execution of an agreement with Bob Baker Enterprises, Inc. to purchase and establish a management fund for 19.1 acres of off-site vernal pool habitat, consisting of 14.1 acres to satisfy off-site mitigation requirements of VTM, PID and RPO Permit No. 88-0612 plus a 4.7-acre excess portion the City will purchase for vernal pool preservation; authorizing the City Manager to accept a deed to the 19.1-acre parcel; authorizing the expenditure of an amount not to exceed \$209,155 from Vernal Pool Preservation Fund 10570 to exercise the City's option to purchase the 4.7-acre excess portion under the terms of the agreement, consisting of \$184,555 for property rights and \$24,600 to reimburse Bob Baker Enterprises, Inc. for a

corresponding portion of the management, maintenance
and preservation fund.

(Mira Mesa Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Approval of the
requested Council action accomplishes two main objectives:

1. It authorizes the City Manager to enter into an agreement with Bob Baker Enterprises Inc. whereby Baker at its expense will acquire 19.1 acres of vernal pool habitat on Carroll Canyon Mesa from the H.G. Fenton Material Company. The transaction, which transfers the 19.1 acre parcel directly from Fenton to the City, provides 14.4 acres to satisfy Baker's off-site mitigation requirements for VTM, PID and RPO Permit No. 88-0612 (Miramar Road Auto Center) plus an excess 4.7 acre portion the City proposes to acquire under an option to purchase set out in the agreement. The agreement also calls for Baker to establish a fund for the perpetual management and maintenance of the property by the City.

2. It authorizes the expenditure of \$209,155 from the Vernal Pool Preservation Fund in order for the City to exercise its option to purchase the 4.7 acre excess portion consisting of \$184,555 as a proportionate share of the total purchase price and \$24,600 to reimburse Baker for a corresponding portion of the management and maintenance fund Baker is being required to establish per the terms of the agreement.

Aud. Cert. 9100710.

FILE LOCATION: DEED F-5552 Deed FY 91-1; CONT FY
91-1

COUNCIL ACTION: (Tape location: A336-432.)

MOTION BY FILNER TO CONTINUE TO TUESDAY, MARCH 25, 1991 AT THE REQUEST OF THE CITY MANAGER TO BE HEARD WITH THE COMPANION ITEM. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-200: (R-91-1501) ADOPTED AS RESOLUTION R-277561

Authorizing the City Auditor and Comptroller to transfer within the General Fund 100 the sum of \$3,000 from the Unallocated Reserve 605 to the Allocated Reserve 901 for the sole and exclusive purpose of

providing funds to supplement Resolution R-276431, to defray expenses in the case of Del Mar Terrace Conservancy, Inc. v. City Council for the City of San Diego et al., Superior Court Case No. 625143, relating to the proposed State Route 56 West and the Carmel Valley Restoration and Enhancement Project.

Aud. Cert. 9100707.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-91-1595) ADOPTED AS RESOLUTION R-277562

Approving the selection of an underwriter on the Miramar Ranch North financing.
(District-6.)

FILE LOCATION: STRT CF-1 CONT - Paine Webber & Garcia & Lavell FY-91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-202:

Two actions relative to the Costa Verde LRT Agreement:
(See City Manager Report CMR-91-143.)

Subitem-A: (R-91-1525) ADOPTED AS RESOLUTION R-277563

Authorizing the execution of the Verde LRT Station Agreement with GSC Realty Corporation.

Subitem-B: (R-91-1526) ADOPTED AS RESOLUTION R-277564

Waiving the applicability of Council Policy 600-36 so that the City Manager may provide an alternative allocation method as indicated in the "Costa Verde LRT Station Agreement," and allocate ADTs according to the City Manager's Report.

FILE LOCATION: MEET CONT FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-203: (R-91-1596) ADOPTED AS RESOLUTION R-277565

Council consideration of the following nominee for appointment to the City Employees' Retirement System Board of Administration:
(See memorandum from Mayor O'Connor dated 3/12/91 with resume attached.)

Nominee
Robert J. Scannell

Nominated By:
Councilmember Pratt

Declaring that after full and complete public discussion and deliberation, Robert J. Scannell is hereby appointed to serve as a member of the City Employees' Retirement System Board of Administration, for a six-year term expiring on December 7, 1996, to replace Enrique J. Sanchez, who has resigned.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-91-1493) ADOPTED AS RESOLUTION R-277566

Council consideration of the following nominee for appointment to the San Diego Data Processing

Corporation Board of Directors:

(See memorandum from Mayor O'Connor dated 3/25/91, with resume attached.)

Name	Category Represented
Edward P. Martin	Finance

Declaring that after full and complete public discussion and deliberation, Edward F. Martin is hereby elected to the San Diego Data Processing Corporation Board of Directors, for a term to expire July 1, 1992, to replace C. Marty Roos, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-91-1497) ADOPTED AS RESOLUTION R-277567

Council consideration of the following nominee for appointment to serve on the San Diego Planetarium Authority Governing Board:
(See memorandum from Mayor O'Connor dated 3/25/91 with resume attached.)

Name	Nominated By:
Doris Anderson	Mayor Maureen O'Connor

Declaring that after full and complete public discussion and deliberation, Doris Anderson is hereby appointed to the San Diego Planetarium Authority Governing Board, for a term to expire April 12, 1993, to replace Dr. Edward Millican, whose term has expired.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-206: (R-91-1215) CONTINUED TO THURSDAY, APRIL 11,
1991

(Continued from the meeting of February 4, 1991, Item 205, at the City Manager's request, for further review.)

Certifying that the information contained in the Joint Environmental Impact Report and Environmental Impact Statement (EIR/EIS), DEP-89-0744, in connection with the Secondary Sewage Treatment System and Associated Sludge Management Facilities as recommended by the City Manager, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council; accepting the findings and recommendations and adopting the Findings and Statement of Overriding Consideration, contained within Environmental Impact Report DEP-89-0744, pursuant to California Public Resources Code Section 21081.

(See City Manager Report CMR-91-47. Barrio Logan/Harbor 101, Centre City, Clairemont Mesa, Pacific Highway, Mission Valley, Otay Mesa/Nestor, Otay Mesa, Peninsula, San Ysidro, Tia Juana River Valley, and University Community Areas. Districts-2, 6 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Secondary Treatment System and Associated Sludge Management Facilities proposed for the San Diego area under the Clean Water Program involve the upgrade of the existing Point Loma Wastewater Treatment Plant to provide 112 million gallons a day (mgd) of secondary treatment capacity by 2003 and 150 mgd by 2023; the location of a new secondary treatment plant in the South Bay area with a capacity of 41 mgd by 1998 and 55 mgd by 2018, for a total secondary treatment capacity of 205 mgd; and the construction of sludge management facilities for the entire sewerage system. Project components would include secondary wastewater treatment, a new outfall, pump stations, wastewater and sludge pipelines and sludge management facilities. The Project Report and its accompanying Joint Environment Impact and Environmental Impact Statement (EIR/EIS) analyze two sites in the Point Loma area: north of the existing Point Loma site and the Midway Drive site; and two sites in the South Bay: the Dairy Mart Road and the Tia Juana Street sites, for the secondary treatment system. The EIR/EIS analyzes four sites for the sludge management facilities: a North City site, a site adjacent to the proposed South Bay Treatment Plant, a site at NAS Miramar North, and a site in Southeast Otay Mesa. Clean Water

Program studies indicate that the overall superior sites are Point Loma North (150 mgd) and Dairy Mart Road (55 mgd) for secondary treatment; and Eastgate Mall, NAS Miramar North,

Dairy Mart Road Treatment Plant site, and Southeast Otay Mesa for sludge facilities; taking into account engineering, cost and environmental considerations. Studies performed for the EIR/EIS, taking into account only environmental factors, found that the environmentally superior sites are Point Loma/Midway Drive (100 mgd) and Brown Field in the South Bay (105 mgd) for the secondary treatment system; and Eastgate Technology Park and Brown Field for sludge facilities. Findings and Statement of Overriding Considerations have been prepared which support Council approval of the Manager's recommendations.

WU-CWP-91-110.

FILE LOCATION: WATER-Secondary Sewage Treatment System and
Associated Sludge Management Facilities

COUNCIL ACTION: (Tape location: A169-215.)

MOTION BY HENDERSON TO CONTINUE TO THE SPECIAL MEETING OF THURSDAY, APRIL 11, 1991 TO HEAR WATER AND SEWER ISSUES TOGETHER. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-207: (R-91-) CONTINUED TO THURSDAY, APRIL 11,
1991

Matter of review of candidate sites for the location of secondary treatment and sludge management facilities, associated pump stations and consideration for approval and adoption of amendments to the Progress Guide and General Plan and community plans for those sites selected. The proposed amendments, with the exception of the Otay Mesa Community Plan amendment, were continued from a Planning Commission hearing on January 24, 1991 and a City Council hearing on February 4, 1991. Based upon final site selections by the City Council, the following community plans may require amendments:

SECONDARY TREATMENT AND ASSOCIATED SLUDGE MANAGEMENT
FACILITIES AND PUMP STATIONS.

Secondary and primary treatment facility candidate sites:

Midway Drive -- 150-mgd Primary Treatment Facility occupying 22-acres of the Air Force Plant 19 Parking Lot across from the Post Office in the Midway Community Plan area.

Point Loma -- expansion of existing Pt. Loma Wastewater Treatment Plant facility 300 or 1,000 feet to north of existing facility in the Peninsula Community Plan and Local Coastal Program Land Use Plan area.

The following sites will also include the South Bay sludge processing facility:

Dairy Mart Road -- 55 acres located south east of the intersection of Dairy Mart and Monument Roads. The site runs along the north side of Monument Road, with Dairy Mart Road as its north-west boundary, and old Dairy Mart Road as its east boundary. The Dairy Mart Road site facility is located within the Tijuana River Valley Community Plan area.

Tia Juana Street -- 88 acres located along the north side of Tia Juana Street at its western terminus in the San Ysidro Community Plan area.

Brown Field -- 100 acres located south of Otay Mesa Road and west of Cactus Street in the Otay Mesa Community Plan area.

Pump Station "D" candidate sites:

The two alternative site are located south of the Otay River channel and north of Palm Avenue, on either side of Hollister Street, in the Otay Mesa-Nestor Community Plan area.

The proposed amendments also constitute an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal Commission for review and final approval. Adoption of a Resolution amending community plans; LCPs; and the Progress Guide and General Plan.

NOTE: See Item 206.

FILE LOCATION: LAND-Midway Community Plan, Peninsula Community Plan, Tijuana River Valley Community Plan, San Ysidro Community Plan,

Otay Mesa Community Plan, Otay Mesa-Nestor,
Progress Guide and General Plan.

COUNCIL ACTION: (Tape location: A169-215.)

MOTION BY HENDERSON TO CONTINUE TO THE SPECIAL MEETING OF THURSDAY, APRIL 11, 1991 TO HEAR WATER AND SEWER ISSUES TOGETHER. Second by Bernhardt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S400: CONTINUED TO MONDAY, APRIL 15, 1991

(Continued from the meeting of March 19, 1991, Item 330, at the City Manager's request, due to lack of a quorum.) Appeal of Watermark, Ltd., by John D. Thelan of Odmark & Thelan, from the decision of the Planning Commission in approving Conditional Use Permit CUP-90-0907 (Teen Quest), with modifications. This permit would allow location of a transitional housing facility for 30 homeless boys and girls in an existing converted warehouse building located at 633 State Street, in the Marina Redevelopment Area, in the Centre City Community Plan area. The subject property is more particularly described as Lots C to L inclusive, Block 27, New San Diego Addition.
(CUP-90-0907. District-8.)

Subitem-A: (R-91-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0907 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (R-91-)

Adoption of a Resolution granting or denying the appeal and granting or denying the permit, with appropriate findings to support Council action.

FILE LOCATION: PERM-CUP-90-0907

COUNCIL ACTION: (Tape location: A221-315.)

MOTION BY FILNER TO CONTINUE TO MONDAY, APRIL 15, 1991 TO GIVE APPLICANT MORE TIME FOR NEGOTIATION AND TO REVIEW ALTERNATE SITES FOR THE PROJECT. Second by Bernhardt. Passed by the following vote: Wolfsheimer-ineligible, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S401: CONTINUED TO TUESDAY, APRIL 9, 1991

(Trailed as Unfinished Business from the meeting of Tuesday, March 19, 1991, Item 336.)
Request to rezone approximately 1.28-acres from Zone A-1-10 to Zone R-1-5000/SL (Small Lot Overlay Zone) and for a 12-lot subdivision (Russet Leaf Lane West) at a site located on the west side of Russet Leaf Lane between Entreken Way and Calderon Road, in the Penasquitos East Community Plan area. The subject property is further described as Parcel 6 of Parcel Map PM-14576.

(Case and TM-90-0443. District-1.)

Subitem-A: (R-91-1190)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-90-0443 has been completed in compliance with the California Environmental Quality Act of 1970 and State guidelines, and that said declaration has been reviewed and considered by the Council.

Subitem-B: (O-91-119)

Introduction of an Ordinance for R1-5000/SL Zoning.

Subitem-C: (R-91-)

Adoption of a Resolution granting or denying the map, with appropriate findings to support Council action.

FILE LOCATION: Subitem-A: ZONE ORD. NO.; Subitem C: SUBD, Russet Leaf Lane.

COUNCIL ACTION: (Tape location: A320-328.)

MOTION BY WOLFSHEIMER TO CONTINUE TO TUESDAY, APRIL 9, 1991
AT THE REQUEST OF THE APPLICANT. Second by Roberts. Passed
by the following vote: Wolfsheimer-yea, Roberts-yea,
Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea,
McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S402:

(Continued from the meetings of December 10, 1990, Item
213, No. 3 only, and January 28, 1991, Item S407;
Trailed as Unfinished Business from the meeting of
Tuesday, March 19, 1991, Item 335, due to lack of five
affirmative votes.)
Matter of modification of the Preliminary Centre City
Community Plan and the Interim Development and Design
Ordinance regarding elimination of the Ash Street
remote parking area.
(Districts-2 and 8.)

Subitem-A: (R-91-1508) ADOPTED AS RESOLUTION R-277568

Adoption of a Resolution incorporating the amendments
made by the City Council at the December 10, 1990 and
March 19, 1991 public hearings into the Preliminary
Centre City Community Plan and Interim Development and
Design Ordinance.

Subitem-B: (O-91-145) INTRODUCED, TO BE ADOPTED
APRIL 8, 1991

Introduction of an Ordinance amending Ordinance
O-17533, adopted on September 24, 1990, relating to the
Centre City San Diego Interim Development and Design
Ordinance, by revising Section 12 relating to
off-street parking plans.

Subitem-C: (R-91-1509) ADOPTED AS RESOLUTION R-277569

Adoption of a Resolution amending Council Policy
600-32, regarding Standards for Centre City Streets,
Enhanced Pedestrian Orientation and Access, Mass
Transit, and Alternate Transportation Options, other
than the Automobile.

FILE LOCATION: LAND-Centre City Community Plan

COUNCIL ACTION: (Tape location: B065-436.)

Hearing began 2:48 p.m. and halted 3:15 p.m.

Testimony in opposition by Mr. Milch.

MOTION BY FILNER TO ADOPT SUBITEMS A AND C AND INTRODUCE SUBITEM B. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ADDITIONAL BUSINESS: (R-91-1508 Rev. 1) ADOPTED AS
RESOLUTION R-277583

MOTION BY WOLFSHEIMER TO ADOPT CCPC's PLAN WHICH AMENDS THE CENTRE CITY COMMUNITY PLAN WITH A PROVISION THAT AT THE TIME IN WHICH 1,000 PARKING SPACES WITHIN THE 17 BLOCK AREA ARE USED, THIS SUBJECT BE BROUGHT BACK TO COUNCIL FOR REVIEW. Second by Mayor O'Connor. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-nay, Mayor O'Connor-yea.

ITEM-S403: (R-91-676) ADOPTED AS RESOLUTION R-277570

(Continued from the meetings of November 13, 1990, Item 334; Trailed from the adjourned meeting of Tuesday, January 8, 1991, Item 332; Continued from the meetings of January 9, 1991, Item 208, January 28, 1991, Item 206 and March 19, 1991, Item 334; last continued at Councilmember Henderson's request, to be heard with the companion item.)

Adoption of a Resolution to extend the Interim Centre City San Diego Development and Design Ordinance into those areas of the Centre City Community Plan area which fall under jurisdiction of the California Coastal Commission. The Interim Centre City San Diego Development and Design Ordinance is designed to regulate land use, building design, development intensity, and other pertinent development criteria within the jurisdictional boundaries of the Centre City Community Plan.

The Interim Centre City San Diego Development and Design Ordinance constitutes an amendment to the City of San Diego's Local Coastal Program (LCP). If approved by the City Council, the proposed LCP amendment must be submitted to the California Coastal

Commission for review and certification. This LCP amendment would not become effective until approved by the California Coastal Commission.
(Districts-2 and 8.)

CITY MANAGER SUPPORTING INFORMATION: The Interim Centre City San Diego Development and Design Ordinance was approved at a second reading by the City Council on September 24, 1990. The effective date of this Ordinance is October 24, 1990. This Interim Ordinance, designed to implement the Preliminary Centre City Plan which was adopted by the City Council on July 23, 1990 and serve as the measure by which Centre City Development projects are reviewed outside of the Marina and Gaslamp Planned Districts currently excludes those areas of the Centre City Community Plan area which fall within the Coastal Zone. In order to bring those areas within the Coastal Zone into conformance with the Interim Ordinance, it is requested that an amendment to the City's Local Coastal Program be granted by the California Coastal Commission. The Coastal Commission is scheduled to review this proposed amendment during scheduled hearings on December 11-14, 1990.

Prior to appearing before the Coastal Commission, it is required that the City Council hold a noticed public hearing on the proposed amendment to the City's Local Coastal Program.

FILE LOCATION: LAND-Centre City Community Plan

COUNCIL ACTION: (Tape location: B441-586.)

Hearing began 3:15 p.m. and halted 3:23 p.m.

Testimony in favor by Lucy Franck.

Testimony in opposition by Craig Adams.

MOTION BY FILNER TO ADOPT. Second by Hartley. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S404: (R-91-1492) ADOPTED AS RESOLUTION R-277571

Congratulating Citizens Coordinate for Century 3 on its 30th birthday and extending sincere appreciation for its important contributions toward maintaining our high quality of life; commending Citizens Coordinate for Century 3 for its tireless efforts on behalf of our

City and communities.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A130-159.)

MOTION BY BERNHARDT TO ADOPT. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-S405: (R-91-955) ADOPTED AS RESOLUTION R-277572

Amending Council Policy 600-15 regarding Street Vacations and Easement Abandonments.
(See City Manager Report CMR-91-33.)

COMMITTEE ACTION: Reviewed by TLU on 1/14/91. Recommendation to approve the Manager's recommendation with modifications to expand the right-of-way reservation to include "other public facilities and view corridors" pending City Attorney evaluation of legal issues involved. Districts 1, 2, and 8 voted yea. Districts 4 and 5 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-S406: (R-91-1490) ADOPTED AS RESOLUTION R-277573

Establishing Council Policy 900-08 regarding Code Enforcement Impact Analysis.

(See Legislative Specialist Analysis TLU-90-48; City Manager Reports CMR-90-521 and CMR-90-520.)

COMMITTEE ACTION: Reviewed by TLU on 1/14/91. Recommendation to approve the City Manager's recommended Council Policy on Enforcement Impact Analysis in all new ordinances and recommended approval by Council. Districts 1, 4 and 8 voted yea. Districts 3 and 5 not present.

CITY MANAGER SUPPORTING INFORMATION: Because of issues that arise frequently in the City's Code Enforcement system, the City Manager decided earlier this year that one approach to increasing the City's effectiveness is to ensure that all proposed ordinances are analyzed thoroughly regarding enforcement aspects. The analysis would include such issues as designation of responsibility for enforcement, identification of available remedies, type and level of enforcement planned, the need for additional staff or resources, and cost recovery aspects. The proposed policy would require a "Code Enforcement Impact Analysis" on all 1472's and in Manager's and Planning Director's reports to accompany the required Fiscal Impact Statement. Although such a Council Policy will not solve every code enforcement problem, it would ensure that enforcement is considered when ordinances are developed and that enforcement issues are presented to the Council for review. If the Council Policy is approved, an Administrative Regulation will be issued to establish criteria and procedures for the required analysis. The Transportation and Land Use Committee approved the draft Council Policy on January 14, 1991 and referred it to the City Council for action.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S407: (R-91-1478) ADOPTED AS RESOLUTION R-277574

(Continued from the meeting of March 18, 1991, Item S401, at Councilmember Pratt's request, to allow him to be present.)

Authorizing the City Manager to increase the parking rates for automobiles at San Diego Jack Murphy Stadium from \$3 to \$4 at San Diego Padre Baseball Games, beginning with the 1991 baseball season.
(See City Manager Report CMR-91-145.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C006-472.)

Motion by Henderson to note and file and direct City Manager to work with the Gable Group and Stadium Authority on alternative revenue sources which will involve and entertain San Diego sports fans. Second by Bernhardt. No vote.

MOTION BY HARTLEY TO ADOPT AND DIRECT THE CITY MANAGER TO WORK WITH THE GABLE GROUP TO EXPLORE ALTERNATE POSSIBILITIES TO INCREASE REVENUE AT THE STADIUM. Second by Wolfsheimer. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-nay, Henderson-nay, McCarty-not present, Filner-yea, Mayor O'Connor-nay.

ITEM-S408: (R-91-1446 Rev.1) ADOPTED AS AMENDED AS
RESOLUTION R-277476

(Continued from the meeting of March 18, 1991, Item 139, at Councilmember Hartley's request, for full Council.)

Approving the Schedule of Landfill Refuse Disposal Fees for Fiscal Year 1992 in accordance with the effective provisions of San Diego Municipal Code Section 66.0125; declaring that such landfill disposal fees shall become effective July 1, 1991.

(See City Manager Report CMR-91-93. District-6.)

COMMITTEE ACTION: Reviewed by PSS on 2/20/91. Recommendation to accept the City Manager's report. Districts 2, 4, 5 and 7 voted yea. District 3 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: C474-D143.)

Motion by Pratt to adopt the City Manager's Recommendation and increase disposal fees. No second.

MOTION BY HARTLEY TO ADOPT AS AMENDED RAISING DISPOSAL FEES FOR ALL VEHICLES EXCEPT PRIVATELY OWNED AUTOS. Second by Henderson. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

ITEM-S409: (O-91-132) ADOPTED AS ORDINANCE O-17625, (New Series)

(Continued from the meeting of March 18, 1991, Item 202, at the Housing Commission staff's request, for full Council.)

Adoption of an Ordinance authorizing the issuance, sale and delivery of Multifamily Housing Refunding Revenue Bonds in a principal amount not to exceed \$28,485,000 for the purpose of making a lender loan to provide funds to refinance the cost of the Las Flores Apartments project; determining and prescribing certain matters relating thereto; and approving and authorizing the execution of related documents, agreements, and actions.

(See Housing Commission Report HCR-91-002 CC. Introduced on 2/25/91. Council voted 9-0. Located at 7039 Charmant Drive. La Jolla Community Area. District-1.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D153-155.)

Hearing began 4:08 p.m. and halted 4:10 p.m.

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-not present, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

* ITEM-S410: (R-91-1627) ADOPTED AS RESOLUTION R-277575

Declaring opposition to Senate Bill 208 (Kopp) relating to an amendment to Government Code Section 6254 to eliminate the attorney-client privilege in almost all categories for all elected City Attorneys, District Attorneys and the Attorney General.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-S411: (R-91-1626) ADOPTED AS RESOLUTION R-277576

A Resolution approved by the City Council in Closed Session on Tuesday, March 5, 1991 by the following vote:

Wolfsheimer-yea; Roberts-yea; Hartley-yea; Pratt-yea; Bernhardt-yea; Henderson-yea; McCarty-not present; Filner-yea; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$50,000 in the settlement of each and every claim against the City, its agents and employees, resulting from the work performed by International Technology Corporation while under contract with the City (Superior Court Case No. 614990, International Technology Corporation v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$50,000 made payable to International Technology Corporation and its attorney of record, Martin D. Cohn, Esq., in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the property damage claim of International Technology against the City of San Diego as a result of the incident on October 1, 1988.

Aud. Cert. 9100729.

WU-RM-91-156.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

ITEM-S412: (R-91-1512) ADOPTED AS RESOLUTION R-277577

Reducing the funding approved for acquisition of certain property by Resolution R-276547 by \$800,000; authorizing the expenditure of an amount not to exceed \$2,000,000 from CIP-52-356.0 (\$865,000 from North City West FBA 79002 and \$1,135,000 from Sorrento Hills Facility Development Fund 39063) for acquisition of real property and related costs for the Route 56/Carmel Valley Restoration Enhancement Plan Project.

(Carmel Valley Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: This action requests the expenditure of funds in the amount of \$2,000,000 to acquire two of the nine properties required for the Route 56/Carmel Valley Restoration Enhancement Plan (CVREP). Total acquisition costs for the entire project is \$10,000,000 of which \$2,000,000 is currently available in the FBA. The two property owners are willing sellers and it is felt that acquisition at this time would benefit the project. The CVREP portion of the project will provide 100-year flood protection for Carmel Valley west of Carmel County Road; reduce sediment transport to Los Penasquitos Lagoon; create an enhanced riparian floodway/wildlife habitat area, and provide hiking, biking and equestrian trails within a permanent greenbelt. This portion of Route 56 will begin the initial link that will eventually provide east-west access to Interstate 15 and 5.
Aud. Cert. 9100727.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D144-150.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Bernhardt.
Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-not present, Mayor O'Connor-yea.

* ITEM-S413: (R-91-1615) ADOPTED AS RESOLUTION R-277578

Authorizing the City Manager to apply for a grant in the sum of \$69,552 from the California State Library to develop a campaign to recruit minority literacy volunteer tutors; authorizing the City Manager or his representative to perform all acts necessary to secure and expend the grant funds.

CITY MANAGER SUPPORTING INFORMATION: The San Diego Public Library has been invited by the California State Library to submit an application for state grant funds in the amount of \$69,552 to establish a pilot project designed to attract minority tutors for literacy programs. READ/San Diego, the library's adult literacy program, will establish the pilot program which will be part of a coordinated campaign for library literacy programs throughout the State of California.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

* ITEM-S414: (R-91-1618) ADOPTED AS RESOLUTION R-277579

Authorizing the execution of an agreement with Public Resources Advisory Group/E.J. de La Rosa and Co. to provide financial advisory services to the Materials Recovery Facility Project; authorizing the expenditure of an amount not to exceed \$136,185 (\$117,185 for financial advisory services and \$19,000 for reimbursable expenses) from Funds 41200 and 41201, Object Account 4151, Job Orders 2122 and 372540, for the above services and related costs.
(See City Manager Report CMR-91-153.)

Aud. Cert. 9100730.

FILE LOCATION: MEET CONT FY 91-1

COUNCIL ACTION: (Tape location: A336-432.)

CONSENT MOTION BY PRATT TO ADOPT. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, Hartley-yea, Pratt-yea, Bernhardt-yea, Henderson-yea, McCarty-not present, Filner-yea, Mayor O'Connor-yea.

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

ITEM-PC-1:

Comment by Doris Citrone regarding housing discrimination
against minorities.

ITEM-PC-2:

Comment by Don Stillwell regarding money.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D156.)

ADJOURNMENT:

The meeting was adjourned by Mayor O'Connor at 4:25 p.m.

FILE LOCATION: MEET